

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**LYONDELL CHEMICAL COMPANY, et al.,**

**Debtors**

**CONOCOPHILLIPS COMPANY**

**Appellant-Defendant**

**v.**

**LYONDELL CHEMICAL COMPANY, et al.,**

**Appellees-Plaintiffs**

**Chapter 11 Case No.**

**09-10023 (REG)**

**(Jointly Administered)**

**Case No. 1:09-CV-02687 (RMB)**

**ORDER OF DISMISSAL OF APPEAL**

IT IS HEREBY ORDERED that, pursuant to Federal Rule of Bankruptcy Procedure 8001(c)(2), the above-captioned appeal is dismissed without prejudice, with each party to bear its own costs and with all rights reserved unto the parties, including, without limitation, ConocoPhillips Company's right to assert a claim, including an administrative expense claim, for damages for wrongful issuance of injunctive relief and Lyondell Chemical Company's right to object to and oppose such claim.

Dated: May 12, 2009.

*RMB*

Judge Richard M. Berman

